

**FILED**

**MAY 01 2009**

Judge Jamie D. Happas

DRINKER BIDDLE & REATH LLP  
*A Delaware Limited Liability Partnership*  
500 Campus Drive  
Florham Park, New Jersey 07932-1047  
(973) 360-1100

Attorneys for Defendants

JOHNSON & JOHNSON, JOHNSON & JOHNSON  
PHARMACEUTICAL RESEARCH & DEVELOPMENT, L.L.C.,  
ORTHO-McNEIL PHARMACEUTICAL, INC., now known as ORTHO-McNEIL-JANSSEN  
PHARMACEUTICALS, INC., and ALZA CORPORATION

DONNA GERWITZ,

Plaintiff,

v.

JOHNSON & JOHNSON, JOHNSON &  
JOHNSON PHARMACEUTICAL  
RESEARCH & DEVELOPMENT, LLC,  
ORTHO-McNEIL PHARMACEUTICAL,  
INC., ALZA CORPORATION, ORGANON  
USA, INC., ORGANON  
PHARMACEUTICALS USA, INC.,  
ORGANON INTERNATIONAL, INC.,  
AKZO NOBEL NV, and DOES  
1-25,

Defendants.

:  
: SUPERIOR COURT OF NEW JERSEY  
: LAW DIVISION: MIDDLESEX COUNTY  
: DOCKET NUMBER: MID-L-8327-07-MT  
:

CIVIL ACTION

:  
: IN RE ORTHO EVRA® BIRTH CONTROL  
: PATCH LITIGATION  
: CASE CODE 275  
:

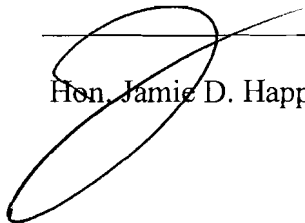
:  
: **SUMMARY JUDGMENT ORDER**  
: **AS TO DEFENDANTS JOHNSON &**  
: **JOHNSON, JOHNSON & JOHNSON**  
: **PHARMACEUTICAL RESEARCH &**  
: **DEVELOPMENT, L.L.C., ORTHO-**  
: **McNEIL PHARMACEUTICAL, INC.,**  
: **now known as ORTHO-McNEIL-**  
: **JANSSEN PHARMACEUTICALS, INC.**  
: **and ALZA CORPORATION**  
:

**THIS MATTER** having come before the Court by Drinker Biddle & Reath LLP, attorneys for Defendants Johnson & Johnson, Johnson & Johnson Pharmaceutical Research & Development, LLC, Ortho-McNeil Pharmaceutical, Inc., now known as Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Alza Corporation on application for summary judgment pursuant to R. 4:46, the Court having considered this application, and good cause having been shown;

It is on this 1<sup>st</sup> day of May, 2009.

**ORDERED** as follows:

1. Defendants' motion for summary judgment be and hereby is GRANTED;
2. Plaintiff's Complaint be and hereby is DISMISSED WITH PREJUDICE as to Defendants Johnson & Johnson, Johnson & Johnson Pharmaceutical Research & Development, LLC, Ortho-McNeil Pharmaceutical, Inc., now known as Ortho-McNeil-Janssen Pharmaceuticals, Inc. and Alza Corporation; and
3. A copy of this Order shall be served upon all counsel of record within 7 days from the date of entry.

  
\_\_\_\_\_  
Hon. Jamie D. Happs, J.S.C.

This motion was:

       Opposed

X Unopposed

Having reviewed the above motion, I find it to be meritorious on its face and is unopposed. Pursuant to R.1:6-2, it therefore will be granted essentially for the reasons set forth in the moving papers.